

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JENNIFER ANN FEDOREK,

Plaintiff,

v.

WARDEN RONALD SNYDER, et al.,

Defendants.

Civil Action No. 05-186 Erie

MEMORANDUM ORDER

This civil rights action was received by the Clerk of Court on September 29, 2005, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [Doc. No. 35], filed on October 27, 2006, recommended that Defendants' motion to dismiss and strike [Doc. No. 18] and motion to dismiss [Doc. No. 23] be granted in part and denied in part as follows: (1) Defendant Snyder should be dismissed from this action; (2) Plaintiff's request for monetary damages in the specified amount of \$160,000.00 should be stricken; and (3) Plaintiff's claims against Defendant Craft remain viable and should be allowed to proceed. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by certified mail and on Defendants. Objections were filed by Plaintiff on November 7, 2006 [Doc. No. 36]. After de novo review of the motion and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 21st day of November, 2006;

IT IS HEREBY ORDERED that the Defendants' motion to dismiss and strike [Doc. No. 18] and motion to dismiss [Doc. No. 23] is GRANTED in part and DENIED in part as follows: (1) Defendant Snyder is DISMISSED from this action; (2) Plaintiff's request for monetary damages in the specified amount of \$160,000.00 is STRICKEN; and (3) Plaintiff's claims against Defendant Craft shall proceed.

The Report and Recommendation [Doc. No. 35] of Magistrate Judge Baxter, filed on October 27, 2006, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge